



# Austin City Council MINUTES

For MARCH 31, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the presence of all Councilmembers.

### MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meeting of March 24, 1988 and special meeting of March 22, 1988. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Urdy and Nofziger out of the room)

### CITIZEN COMMUNICATIONS

Steve Mendoza, Maria Elena Rodriguez and Cynthia Valadez discussed voting rights. Howard White discussed removal of three houses. Bill Carter talked about recycling. Lottie Mae Bell asked for unneeded shelves from Brackenridge Hospital for a service agency. E.L. Niece discussed WBE/MBE Program. John N. Richey discussed Letter of Credit Policy.

### U.S.S. CITY OF AUSTIN

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved the recommendation made by the Historic Landmark Commission to pursue finding out about the U.S.S. City of Austin. (5-0 Vote, Councilmember Urdy, Mayor Pro Tem Trevino out of the room)

### ITEMS POSTPONED

- Consideration of amendments to the Sign Ordinance was postponed to a public hearing on April 21, 1988 at 5:00 p.m.
- Consideration of adopting the General Topic Areas and funding allocation for the 14th Year Community Development Block Grant Program has been postponed to April 14, 1988.

## ITEMS POSTPONED - (Continued)

- Postponed to April 7, 1988 is consideration of the concept of East 11th and 12th Streets area revitalization preservation presented in the Operation Impact Working Paper and directing the City Manager to take such steps to continue the process described in the Operation Impact Working Paper.

## EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

## 2. Personnel Matters - Section 2, Paragraph g

## (a) City Manager Search

## RECESS

Council recessed its meeting from 3:30 to 6:25 p.m. for executive session.

## OLD BUSINESS - CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Capital Improvements

- Authorized the filing of Eminent Domain Proceedings to acquire
- (1) Three Electric Transmission Line Easements containing 1.15 acres over Tract 1, Tract 2 and Tract 3 out of the Francisco Garcia Survey No. 60, Travis County, Texas, owned by Abu Dhabi, Inc. for the Circuit 961, Jollyville Substation to Howard Lane Substation. C.I.P. No. 85/13-06

Loop 360

Approved supporting the State Department of Highways and Public Transportation's recommendation to include Loop 360 (from U.S. 290 to U.S. 183) in its 5-year Project Development Plan.

Electric Billing

Approved an amendment to R.F.P. entitled Independent Audit of Electric Billing Issues.

**TRANSPORTATION OF HAZARDOUS MATERIALS**

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 11-2, Basic Traffic Ordinance, of the Code of the City of Austin, 1981, by amending and adding provisions; establishing requirements for transportation of hazardous materials. (7-0 Vote)

**CONSENT RESOLUTIONS**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (7-0 Vote)

C.I.P.

Approved the following Change Order:

- a. In the amount of \$32,271.35 to Garney Companies, Inc. for the Northeast Austin Transmission Main, Phase "A" contract. (1.18% increase of the original amount of \$2,725,139.25 - Total change orders to date equal 2.34%) C.I.P. No. 86/22-32.

Contracts Approved

Approved the following contracts:

- a. PRIESTER-MELL & NICHOLSON, INC. - Translation System Upgrade,  
601 East 56th Street Electric Utility Department  
Austin, Texas Total \$288,658.60 C.I.P. No.  
84/12-04
- b. MAC ROOFING AND SUPPLIES, INC. - Reroofing of the Montopolis  
P.O. Box 2905 Health Clinic, Transportation  
Port Arthur, Texas and Public Services Department  
Total \$35,341.00 C.M.D. 88-01

Medicare/Medicaid Consultant

Approved a contract (RFP) with Healthcare Provider Consultants in the amount of \$48,000.00 for a Medicare/Medicaid Consultant.

Pathology Services

Approved a contract (RFP) with Austin Pathology Associates in the amount of \$123,000.00 for pathology services.

Anti-Drug Abuse Task Force

Authorized execution of an Interlocal Agreement with the eleven counties making up the CAPCO region for the purpose of forming a Regional Anti-Drug Abuse Task Force.

Federal Clean Water Act

Designated John L. Ware, Acting City Manager as authorized representative and Gary L. Hunt, Assistant City Manager, as an alternate authorized representative of the City in order to apply for Federal Grant assistance under the Federal Clean Water Act.

Emergency Shelter Grants Program

Authorized execution of contracts with private non-profit organizations for operation and maintenance of emergency shelters under the United States Department of Housing and Urban Development (HUD) Emergency Shelter Grants Program.

## HAZARDOUS MATERIALS POLICY

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, adopted a resolution approving a City of Austin Transportation of Hazardous Materials Policy. (7-0 Vote)

## JONESTOWN FIRE DISTRICT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooksey's second, approved the creation of the Jonestown Fire District, located partially in the City of Austin's extra-territorial jurisdiction and non-regulatory extra-territorial jurisdiction. (7-0 Vote)

## ZONING PULLED OFF AGENDA

Pulled from the agenda was the following zoning case:

(1) h-83 BRYDSON HOUSE	1605 East 1st Street	From "CS-H"
031 By City of Austin		To "CS"

## POLICE CADET CLASS

Motion Made and Withdrawn

Councilmember Carl-Mitchell made a motion, seconded by Mayor Cooksey to reinstate the Police Cadet Class in the fiscal year 1987/88 Police Department Budget by transferring the money from the Electric Utility Fund, which is there because of the sale of STNP.

Substitute Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Urduy to waive the requirement for three readings and finally pass an ordinance reinstating the Police Cadet Class in the Fiscal Year 1987/88 Police Department budget with money out of the General Fund ending balance.

After discussion concerning the funding, Councilmember Carl-Mitchell withdrew his motion and Mayor Cooksey withdrew his second, making the substitute motion the main motion.

Roll Call on Motion

7-0 Vote

TELECOMMUNICATIONS

A City Manager report on Telecommunications Planning was presented to Council. Council said they would like a worksession, so discussion will be held at either the April 5 or April 7, 1988 Council meeting.

PUBLIC HEARING -TOWN LAKE COMPREHENSIVE PLAN

Mayor Cooksey opened the public hearing set for 5:00 p.m. which was a continuance of the public hearing on the Town Lake Comprehensive Plan. People who spoke have registration cards on file in the City Clerk's office.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, closed the public hearing and directed this be posted for action on April 14, 1988. (6-0 Vote, Councilmember Urdu out of the room.)

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

1. Pending Litigation - Section 2, Paragraph e

- (a) City of Austin v. Houston Lighting and Power
- (b) LCRA & City of Austin v. Burlington Northern et al,  
M-87-0245-CA
- (c) Burlington Northern Railroad Company and Missouri-Kansas-Texas Railroad Co. v. LCRA & City of Austin, C.A. No. 4-87-504-K
- (d) Greer Construction v. City of Austin, Cause No. 410,585

2. Personnel Matters - Section 2, Paragraph g

- (a) City Manager Search

RECESS

Council recessed its meeting for executive session from 7:40 to 9:35 p.m.

## INTERIM TRANSMISSION PLAN

Council had before them three items concerning the interim transmission plan.

David Casper, Director of Budget and Financial Planning, Electric Utility Department, told Council: "The three actions that are being requested by Council tonight are the approval of the Interim Transmission Plan total \$51,909,700; approval of the longterm planning and preliminary engineering for revised plan totaling \$4,200,000; the abandonment of the 10 345-KV related projects totaling \$39,678,287; and the re-appropriation of that \$39,678,287 to the Interim Transmission Plan."

Councilmember Humphrey stated: "I'm going to move approval of this with the caveat that on the long-range planning, that we limit that to \$1,000,000 right now, with the knowledge that if you have to go over it, you need to come to the Council with the plan and that we will go along with it if it is a good plan. So instead of \$56,000,000, it'll be \$53,161,000 with the rest in escrow."

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the following contract: (5-1 Vote, Councilmember Nofziger voted No, Mayor Pro Tem Trevino out of the room)

PRIESTER-MELL & NICHOLSON, INC.  
601 East 56th Street  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM  
Transmission Line Conductor to  
upgrade existing 138 KV  
Circuit 960, Williamson  
Substation to Jollyville  
Substation, Electric  
Utility Department  
Total \$127,776.10 C.I.P. No.  
85/13-07

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending the Capital Improvement Program and Capital Budget of the Electric Utility to fund the Interim Transmission Plan and the long range transmission plan preliminary engineering by abandoning previously approved 345-KV related projects totaling \$39,678,287.00; and reappropriating those funds to the Interim Transmission Plan. (5-1 Vote, Councilmember Nofziger voted No, Mayor Pro Tem Trevino out of the room)

Motion

The Council, on Councilmember Humphrey's motion, Councilmember

Carl-Mitchell's second, adopted a resolution approving the Interim Transmission Plan in the amount of \$53,161,000, with the rest in escrow, and authorizing long range planning and preliminary engineering for a revised long range transmission plan in the amount of \$1,000,000 with the knowledge that if more money is needed the plan must be approved by Council, who will approve if it is a good plan. (5-1 Vote, Councilmember Nofziger voted No, Mayor Pro Tem Trevino out of the room)

#### LAGUNA GLORIA ART MUSEUM

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution approving off-site parking for Laguna Gloria Art Museum with Planning Commission's recommendation and deletion of designate spaces. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

#### FIVE YEAR FINANCIAL FORECAST

Council had before them for approval the Five-Year Financial Forecast for Fiscal Years 1987/88-1992/93.

Mayor Cooksey read the following as an amendment: "Anything in the five year financial forecast for fiscal years 1987/88-1992/93 re the pay raise projections contained therein shall be removed from such projection and considered as a separate budget policy issue during 1988/89 budget deliberations of the City Council."

#### Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution accepting the Five-Year Financial Forecast for Fiscal Years 1987/88 - 1992/93, with Mayor Cooksey's amendment (see above) and instructions to send GO and Revenue bond elements to the Planning Commission for review. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

#### FISCAL REQUIREMENTS FOR GUIDELINES

Council had before them two resolutions: Consider adopting a policy determination of fiscal requirements for subdivisions, and Consider adopting guidelines for the determination of fiscal requirements for subdivisions.

#### Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Urdy to adopt a resolution adopting a policy determination of fiscal requirements for subdivisions and adopting a resolution for guidelines for the determination of fiscal requirements for subdivisions and with clarifying language in the fiscal surety requirements for subdivisions and staff recommendation on environmental.

Substitute Motion - DIED FOR LACK OF SECOND

Mayor Cooksey offered a substitute motion to approve language recommended by Mr. Bodenman with the timing for the posting of letters of credit to be at the time of permitting. Motion died for lack of second.

Roll Call on Motion

6-0 Vote, Mayor Pro Tem Trevino out of the room

## ENDANGERED SPECIES TASK FORCE

Appointment of members to the Endangered Species Task Force was included on the March 29, 1988 agenda, therefore Council was able to take action on this.

Motion

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, appointed the following people as members of the Endangered Species Task Force: (6-0 Vote, Mayor Pro Tem Trevino out of the room)

Jim O'Donnall, George Avery, Tom McCuller,  
Barbara Dugleby, Don Bosse, Terry Morgan,  
and Steve Paulson

## INTERIM LAND DEVELOPMENT CODE

Mayor Cooksey opened the public hearing set for 7:00 p.m. to continue the hearing on the Interim Land Development Code.

People who spoke have registration cards on file in the City Clerk's office.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, closed the public hearing and passed through SECOND READING ONLY an ordinance on the Interim Land Development Code. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

Council scheduled this ordinance for third reading on April 14, 1988.

## GILBANE UPDATE

The Gilbane Update on the Civic Center Project was given on March 29, 1988.

CITY MANAGER SEARCH

Concerning the item under Action on the Following, the City Manager Search was discussed during executive session.

OFFICE LEASING SPACE PROPOSALS

Office leasing space proposals (Alexander and Associates) was postponed to March 14, 1988, at their request.

ITEM POSTPONED

Postponed to April 5, 1988 is consideration of the sale of right-of-way for the U.S. Hwy. 183 Expansion Project from the City-owned Fire Station on U.S. 183 at the Old Southern Pacific Railroad right-of-way east of Burnet Road. C.I.P. No. 85/62-01.

CITY MANAGER REPORTS

The Department of Environmental Protection Business Plan was presented at the March 29, 1988 Special Called Council Meeting. Postponed indefinitely is the Resource Management Department Business Plan. Scheduled to be heard either April 5, 1988 or April 7, 1988 is the Library Department Business Plan.

ADJOURNMENT

Council adjourned its meeting at 11:50 p.m.